

## **REMARKS/ARGUMENTS**

Reconsideration of this application is requested. Claims 35, 37 and 41-43 are in the case.

### **I. THE INTERVIEW**

This will acknowledge the interview conducted with the Examiner (Mr. Borin) on May 4, 2005, during which the outstanding rejection was discussed. The Examiner's position is that the specification allegedly fails to provide an enabling disclosure with respect to amino acid sequences having at least 95% identity with SEQ ID NO:424. It is applicants' position that the specification does provide such an enabling disclosure. No agreement was reached during the interview.

### **II. THE 35 U.S.C. §112, FIRST PARAGRAPH, REJECTION**

Claims 35, 42 and 43 remain rejected under 35 U.S.C. §112, first paragraph, on alleged lack of enablement grounds. This rejection is respectfully traversed.

As evidence of enablement, attached are copies of sequences from *P gingivalis* strains W83 (Accession No. AAQ65420) and W50 (Accession No. CAA10226.1). These sequences differ from SEQ ID NO:424 by a single amino acid at position 199 which is D in W83 and A in W50 and, therefore, represent enabled sequences having at least 95% identity to SEQ ID NO:424. *P gingivalis* strain W50 is disclosed in the specification at page 16, lines 27-30. Furthermore, the specification provides a discussion of allelic variants at page 13. The claim to a sequence having a sequence identity at least 95% to SEQ ID NO:424 is clearly intended to cover strain variation within the organism.

In light of the above, it is clear that the specification does provide an enabling disclosure with respect to sequences having at least 95% identity to SEQ ID No:424. Withdrawal of the outstanding 35 U.S.C. §112, first paragraph, rejection is accordingly respectfully requested.

## II. ALLOWABLE SUBJECT MATTER

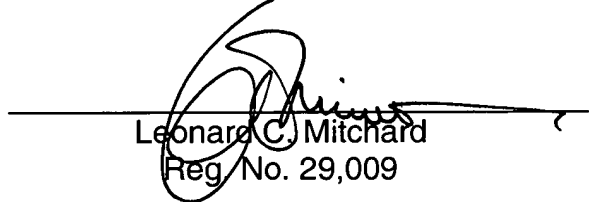
It is noted with appreciation that claims 37 and 41 are allowable. With the arguments presented above, it is believed that all of the claims in this case are now in allowable condition. Early notice to that effect is awaited.

Favorable action on this application is respectfully requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
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Facsimile: (703) 816-4100

Attachments: Copies of sequences from *P. gingivalis* strains W83 (Accession No. AAQ65420) and W50 (Accession No. CAA10226.1).



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☐ 1: [AA065420](#). Reports ragA protein [Por...[gi:34396353]

BLink, Conserved

Domains, Links

LOCUS AA065420 1017 aa linear BCT 02-SEP-2003

DEFINITION ragA protein [Porphyromonas gingivalis W83].

ACCESSION AA065420

VERSION AA065420.1 GI:34396353

DBSOURCE accession [AE017172.1](#)

KEYWORDS

SOURCE Porphyromonas gingivalis W83

ORGANISM Porphyromonas gingivalis W83

Bacteria; Bacteroidetes; Bacteroidetes (class); Bacteroidales;  
Porphyromonadaceae; Porphyromonas.

REFERENCE 1 (residues 1 to 1017)

AUTHORS Nelson, K., Fleishmann, R., DeBoy, R., Paulsen, I., Fouts, D., Eisen, J.,  
Daugherty, S., Dodson, R., Durkin, A., Gwinn, M., Haft, D., Kolonay, J.,  
Nelson, W., White, O., Mason, T., Tallon, L., Gray, J., Granger, D.,  
Tettelin, H., Dong, H., Calvin, J., Duncan, M., Dewhirst, F. and  
Fraser, C.TITLE Complete Genome Sequence of the Oral Pathogenic Bacterium  
Porphyromonas gingivalis Strain W83

J. Bacteriol. 185 (18), 5591-5601 (2003)

PUBMED 12949112

REFERENCE 2 (residues 1 to 1017)

AUTHORS Nelson, K., Fleischmann, R., DeBoy, R., Paulsen, I., Fouts, D., Eisen, J.,  
Daugherty, S., Dodson, R., Durkin, A., Gwinn, M., Haft, D., Kolonay, J.,  
Nelson, W., White, O., Mason, T., Tallon, L., Gray, J., Granger, D.,  
Tettelin, H., Dong, H., Calvin, J., Duncan, M., Dewhirst, F. and  
Fraser, C.

TITLE Direct Submission

JOURNAL Submitted (29-OCT-2002) The Institute for Genomic Research, 9712  
Medical Center Dr., Rockville, MD 20850, USA

COMMENT Method: conceptual translation.

FEATURES Location/Qualifiers

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CDS

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361 repantkrys grlnfesrin ewlkvganls gaianrrsad yfgkyymsgg cfgvltmpty
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481 qagvditntr tsskrmpnnp ydstplgerr erayrdvaks ttntacykfs idckhdital
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☐ HPRD
☐ STS
☐ tRNA

**1: CAA10226**. Reports receptor antigen ...[gi:3901098]

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**LOCUS** CAA10226 1017 aa linear BCT 23-DEC-2002  
**DEFINITION** receptor antigen (RagA) [Porphyromonas gingivalis].  
**ACCESSION** CAA10226  
**VERSION** CAA10226.1 GI:3901098  
**SOURCE** embl locus PC1130872, accession AJ130872.1  
**KEYWORDS**

**SOURCE** Porphyromonas gingivalis  
**ORGANISM** *Porphyromonas gingivalis*  
*Bacteria; Bacteroidetes; Bacteroidetes (class); Bacteroidales; Porphyromonadaceae; Porphyromonas.*

**REFERENCE** 1  
**AUTHORS** Hanley, S.A., Aduse-Opoku, J. and Curtis, M.A.  
**TITLE** A 55-kilodalton immunodominant antigen of *Porphyromonas gingivalis* W50 has arisen via horizontal gene transfer  
**JOURNAL** Infect. Immun. 67 (3), 1157-1171 (1999)  
**PMID** 10024556  
**REFERENCE** 2 (residues 1 to 1017)  
**AUTHORS** Hanley, S.A.  
**TITLE** Direct Submission  
**JOURNAL** Submitted (17-NOV-1998) Hanley S.A., MRC Mol. Path., Oral Microbiology, St. Bartholomew's & The Royal Lon. Sch. of Med. & Dentistry, 32, Newark Street, London, E1 2AA, UK

**FEATURES** Location/Qualifiers  
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